

AT-42598

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

**Joseph Sinatra and  
Kathryn Sinatra, his wife, et al.;**

*Plaintiffs,*

- against -

**ABB Lummus Crest, Inc., et al.;**

*Defendants.*

*Index No.: 105886/01*

*Plaintiff designates NEW YORK  
County as the place of trial*

*The basis of the venue is  
Defendant's Place of Business*

*Summons*

*Complaint Filed: March 23, 2001*

*Plaintiff resides at  
See Attached Complaint*

*County of:*

To the above named Defendant: Listed on the Attached Schedule

*YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of the summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.*

*Dated:* March 26, 2001

*Defendant's address:* See Attached Schedule

WILENTZ, GOLDMAN & SPITZER  
*Attorney(s) for Plaintiff*  
*Office and Post Office Address*  
Wall Street Plaza  
88 Pine Street  
New York, New York 10005

A.C.&S., INC.  
AMERICAN STANDARD, INC.  
ARMOR KONE ELEVATOR CO., INC.  
ASBESTOS CORPORATION LTD.  
BERGEN INDUSTRIAL SUPPLY CO., INC.  
BLACKMAN PLUMBING SUPPLY COMPANY, INC.  
BORG-WARNER CORPORATION  
CERRO WIRE & CABLE CO., INC.  
CHRYSLER CORPORATION  
CLEAVER-BROOKS COMPANY  
CONSOLIDATED RAIL CORPORATION  
DB RILEY, INC.  
DURABLA MANUFACTURING COMPANY  
DURO DYNE CORPORATION  
E&B MILL SUPPLY CO.  
EMPIRE-ACE INSULATION MFG. CORP.  
FARRELL LINES INCORPORATED  
FLYNN HILL ELEVATOR CORPORATION  
FORD MOTOR COMPANY  
GARLOCK, INC.  
GENERAL ELECTRIC COMPANY  
GENERAL MOTORS CORPORATION  
GENERAL REFRACTORIES COMPANY  
HONEYWELL INTERNATIONAL, INC.  
IMO INDUSTRIES, INC.  
KAISER GYPSUM COMPANY, INC.  
LAC D'AMIANTE DU QUEBEC, LTEE  
LEEDS & NORTHRUP COMPANY  
M.J. KELLY CO.  
MADSEN & HOWELL, INC.  
METROPOLITAN LIFE INSURANCE COMPANY  
MONTGOMERY KONS, INC.  
MORSE-DIESEL INTERNATIONAL INC.  
NEW YORK PROTECTIVE COVERING INDUSTRIES, INC.  
ORANGE AND ROCKLAND UTILITIES, INC.  
OTIS ELEVATOR COMPANY  
RAPID AMERICAN CORP.  
S.W. ANDERSON SALES CORP.  
SAFEGUARD INDUSTRIAL EQUIPMENT CO.  
SERGE ELEVATOR MANUFACTURING CORPORATION  
SID HARVEY INDUSTRIES, INC.  
STALEY ELEVATOR CO., INC.  
STATE INSULATION CORP.  
STONE & WEBSTER ENGINEERING CORPORATION  
THOMAS O'CONNOR & CO., INC.  
THYSSENKRUPP ELEVATOR CORPORATION  
TISHMAN LIQUIDATING CORP.  
TISHMAN REALTY & CONSTRUCTION CO., INC.  
TURNER CONSTRUCTION COMPANY  
VERMONT ASBESTOS GROUP  
WESTINGHOUSE ELECTRIC CORPORATION  
WESTINGHOUSE ELEVATOR COMPANY

MARTIN F. SINATRA and  
KATHRYN SINATRA, his wife;  
JOHN BECHTOLD;  
JOHN BRENNAN;  
RICHARD S. CAGGIANO and  
ROSEANN CAGGIANO, his wife;  
LORETTA CAPRARA, Individually and as the  
Executrix of the Estate of FRANK P. CAPRARA;  
SALVATORE CAPRARIO;  
KENNETH C. HEYL;  
HARRISON B. JONES;  
JAKE LOGAN;

Plaintiffs,

- against -

ABB LUMMUS CREST, INC., individually and as  
successor to and formerly known as Lummus  
Crest, Inc. and Lummus Company;  
A.C.&S., INC., formerly Armstrong Contracting  
and Supply, Inc.;  
A.P. GREEN INDUSTRIES, INC., individually and  
as successor to A.P. Green Firebrick Company  
and A.P. Green Refractories Co.;  
A.W. CHESTERTON COMPANY;  
AMERICAN HARDWARE AND PAINT CO., INC., also  
known as American Elgen, individually and as  
successor to United Air Control;  
AMERICAN STANDARD INC., formerly American  
Radiator & Standard Sanitary Corp.  
individually and as a successor to Kewanee  
Boiler Company, Inc.  
THE ANCHOR PACKING COMPANY;  
ARMOR KONE ELEVATOR CO., INC., individually and  
as successor to and formerly known as Armor  
Elevator Co., Inc. (named only as to  
sub-plaintiff John Brennan);  
ARMSTRONG WORLD INDUSTRIES, INC., formerly  
Armstrong Cork Company and Armstrong  
Contracting and Supply;  
ASBESTOS CLAIMS MANAGEMENT CORPORATION,  
individually and as successor to National  
Gypsum Company, Asbestos Ltd. and Smith  
Asbestos Co. and alter ego of and/or  
successor to National Asbestos Mines Ltd.;  
ASBESTOS CORPORATION LTD., individually and as  
successor to Johnson's Company (named only  
as to sub-plaintiff Kenneth C. Heyl);  
ASBESTOSPRAY CORP.;  
THE BABCOCK & WILCOX COMPANY, individually and  
as successor to B & W Refractories Limited,  
Standard Refractories Limited and Holmes  
Blunt Limited;  
BECHTEL CORPORATION;  
BERGEN INDUSTRIAL SUPPLY CO., INC. (named only  
as to sub-plaintiffs Martin F. Sinatra and  
Kathryn Sinatra);  
BLACKMAN PLUMBING SUPPLY COMPANY, INC.,  
individually and successor to Blackman-  
Hoffman Company, Inc., Blackman-Riverhead  
Corp., Blackman-Shapiro Co. Inc., Blackman-  
Ludington Corp., Blackman-Southampton Corp.,  
Blackman-Hicksville Co., Inc., Blackman-  
Queens Corp. and Blackman-Medford Corp.;  
BORG-WARNER CORPORATION c/o Borg-Warner  
Automotive Corp., Inc. (named only as to  
sub-plaintiff Harrison B. Jones);

Index No.: 105886/01

COMPLAINT FILED:  
March 23, 2001

VERIFIED COMPLAINT

**BURNS AND ROE ENTERPRISE, INC.**, formerly Burns and Roe, Inc.;

**CALON INSULATION CORP.** (named only as to sub-plaintiffs Martin F. Sinatra and Kathryn Sinatra);

**CAREY CANADA, INC.**, formerly Carey Canadian Mines, Ltd., individually and as successor to Quebec Asbestos Corp. Ltd.;

**THE CELOTEX CORPORATION**, individually and as successor to Philip Carey Corporation, Philip Carey Mfg. Co., Philip Carey Co., Inc., XPRU Corporation, Briggs Mfg. Co., Panacorp Corporation, Smith & Kanzler, Inc. and Quebec Asbestos Corp. Ltd.;

**CENTRAL HUDSON GAS & ELECTRIC CORPORATION**;

**CERRO WIRE & CABLE CO., INC.**, individually and as successor to and/or also known as The Rockbestos Company, Rockbestos Wire and Cable Co. and Rockbestos-Surprenant Cable Corporation;

**CERTAINTED CORPORATION**, formerly CertainTeed Products Corp., individually and as successor to Keasbey and Mattison Company;

**CHRYSLER CORPORATION** (named only as to sub-plaintiff Harrison B. Jones);

**CLEAVER-BROOKS COMPANY**;

**COMBUSTION ENGINEERING, INC.**, individually and as successor to M.H. Detrick Company, Walsh Refractory Corporation and Refractory and Insulation Corporation, now known as C. & E. Refractories, Inc.;

**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.**;

**CONSOLIDATED RAIL CORPORATION**, individually and as successor to Pennsylvania Railroad Corporation, New York Central Railroad Corporation, Pennsylvania Central Railroad Corporation, Erie Railroad Corporation, Lackawanna Railroad Corporation and Erie-Lackawanna Railroad Corporation. (named only as to sub-plaintiff Jake Logan);

**COURTER & COMPANY, INCORPORATED**;

**CROWN, CORK & SEAL COMPANY, INC.**, individually and as successor to Mundet Cork Corp.;

**DB RILEY, INC.**, individually, as successor to, and/or formerly known as DB Riley Stoker Corporation, and as successor to, and/or formerly doing business as Union Iron Works (named only as to sub-plaintiffs Martin F. Sinatra and Kathryn Sinatra);

**DANA CORPORATION**, individually and as successor to Spicer Enterprises, Inc.;

**DUCT MATE INDUSTRIES, INC.**;

**DURABLA MANUFACTURING COMPANY**;

**DURO DYNE CORPORATION**;

**E&B MILL SUPPLY CO.** (named only as to sub-plaintiffs Martin F. Sinatra and Kathryn Sinatra);

**EAGLE-PICHER INDUSTRIES, INC.**;

**EASTCO INDUSTRIAL SAFETY CORP.**, a/k/a Charkate Glove and Specialty Company;

**EASTERN REFRACTORIES COMPANY, INC.**;

**EMPIRE-ACE INSULATION MFG. CORP.**, individually and as successor to Empire Asbestos Co. and Ace Asbestos Mfg. Company;

**FARRELL LINES INCORPORATED**, individually and as successor to American Export Lines, Inc. (named only as to sub-plaintiff Loretta Caprara, Individually and as the Executrix of the Estate of Frank P. Caprara);



**FIBREBOARD CORPORATION**, individually and as successor to Fibreboard Paper Products Corporation, Pabco Products, Inc., and Plant, Rubber & Asbestos Works, Inc.;  
**THE FLEXITALLIC GROUP, INC.**, individually and as successor to Flexitallic, Inc. and Flexitallic Gasket Company Inc.;  
**THE FLINTKOTE COMPANY**;  
**FLYNN HILL ELEVATOR CORPORATION** (named only as to sub-plaintiff John Brennan);  
**FORD MOTOR COMPANY** (named only as to sub-plaintiff Harrison B. Jones);  
**FOSTER WHEELER CORPORATION**;  
**GAF CORPORATION**, individually and as successor to the Ruberoid Co. and Vermont Asbestos Corporation;  
**GARLOCK, INC.**;  
**GENERAL ELECTRIC COMPANY**;  
**GENERAL MOTORS CORPORATION** (named only as to sub-plaintiff Harrison B. Jones);  
**GENERAL REFRACTORIES COMPANY**;  
**GEORGE A. FULLER COMPANY**;  
**GEORGIA-PACIFIC CORPORATION**;  
**GIAMBOI BROS., INC.**;  
**GUYON GENERAL PIPING, INC.**, individually and as successor to and formerly known as Charles F. Guyon, Inc.;  
**H.H. ROBERTSON COMPANY**;  
**H.K. PORTER COMPANY, INC.**, individually and as successor to Southern Asbestos Company, Carolina Asbestos Company and Thermoid Company;  
**HARBISON-WALKER REFRACTORIES CO.**, a division or subsidiary of Dresser Industries, Inc.;  
**HONEYWELL INTERNATIONAL, INC.** as successor to Allied Signal, Inc. and Aftermarket Brake and Friction Materials Division of Bendix Corporation (named only as to sub-plaintiff Harrison B. Jones);  
**IMO INDUSTRIES INC.**, as successor to and formerly known as DeLaval Turbine, Transamerica DeLaval, and IMO DeLaval;  
**INGERSOLL-RAND COMPANY**;  
**J.H. FRANCE REFRACTORIES CO., INC.**;  
**JANOS INDUSTRIAL INSULATION, INC.**;  
**JOHN W. WALLACE & CO.**;  
**KAISER ALUMINUM & CHEMICAL CORPORATION**;  
**KAISER GYPSUM COMPANY, INC.**;  
**KEENE CORPORATION**, individually and as successor to Ehret Magnesia Mfg. Co., Baldwin Hill Co., Baldwin-Ehret-Hill Co., Inc., Keene Building Products Co.;  
**KENTILE FLOOR INC.**, individually and as successor to Kentile, Inc.;  
**KING INSULATION COMPANY, INC.**, now known as King-Dandorf Insulation;  
**LAC D'AMIANTE DU QUEBEC, LTEE**, formerly Lake Asbestos of Quebec, Ltd., individually and as successor to National Asbestos Mines, Ltd. (named only as to sub-plaintiff Kenneth C. Heyl);  
**LEEDS & NORTHRUP COMPANY**;  
**LONG ISLAND LIGHTING COMPANY**;  
**M.H. DETRICK COMPANY**;  
**M.J. KELLY CO.**;  
**MADSEN & HOWELL, INC.** (named only as to sub-plaintiffs Martin F. Sinatra and Kathryn Sinatra);  
**MARIO & DIBONO PLASTERING CO., INC.**;  
**METROPOLITAN LIFE INSURANCE COMPANY** (named only as to sub-plaintiff Kenneth C. Heyl);  
**METROPOLITAN REFRACTORIES CORPORATION**;  
**MINNESOTA MINING & MANUFACTURING COMPANY**;

MONTGOMERY KONS, INC. (named only as to  
 sub-plaintiff John Brennan);  
 MORSE-DIESEL INTERNATIONAL INC.;  
 NEW YORK PROTECTIVE COVERING INDUSTRIES, INC.;  
 NORTH AMERICAN REFRACTORIES COMPANY;  
 ORANGE AND ROCKLAND UTILITIES, INC.;  
 OTIS ELEVATOR COMPANY (named only as to  
 sub-plaintiff John Brennan);  
 OWENS-CORNING FIBERGLAS CORPORATION;  
 OWENS-ILLINOIS, INC.;  
 PFIZER, INC.;  
 PITTSBURGH CORNING CORPORATION;  
 PORTER-HAYDEN COMPANY, individually and as  
 successor to H.W. Porter and Co., and Reid  
 Hayden Co. (named only as to sub-plaintiffs  
 Martin F. Sinatra and Kathryn Sinatra);  
 PPG INDUSTRIES, INC. (formerly known as  
 Pittsburgh Plate Glass Company),  
 individually and as successor to and/or  
 alter ego of Pittsburgh Corning Corp.;  
 PUERTO RICO SAFETY EQUIPMENT CORPORATION;  
 PULMOSAN SAFETY EQUIPMENT CORPORATION;  
 QUIGLEY COMPANY, INC.;  
 RAPID AMERICAN CORP., individually and as  
 successor to The Celotex Corporation, Philip  
 Carey Corporation, Philip Carey Mfg. Co.,  
 Philip Carey Company, Inc., XPRU  
 Corporation, Briggs Manufacturing Company,  
 Panacon Corporation, Smith & Kanzler, Inc.  
 and Quebec Asbestos Corp., Ltd.;  
 RARITAN SUPPLY COMPANY, individually and as  
 successor to Bridge Supply Co. (named only  
 as to sub-plaintiffs Martin F. Sinatra and  
 Kathryn Sinatra);  
 RESEARCH COTTRELL, INC.;  
 ROBERT A. KEASBEY COMPANY;  
 ROCKBESTOS WIRE AND CABLE CO., individually and  
 as successor to and/or also known as The  
 Rockbestos Company, Cerro Wire & Cable Co.,  
 Inc. and Rockbestos-Surprenant Cable Corp.;  
 ROCK WOOL MANUFACTURING COMPANY;  
 RUTLAND FIRE CLAY COMPANY;  
 S.W. ANDERSON SALES CORP.;  
 SAFEGUARD INDUSTRIAL EQUIPMENT CO.;  
 SERGE ELEVATOR MANUFACTURING CORPORATION (named  
 only as to sub-plaintiff John Brennan);  
 SID HARVEY INDUSTRIES, INC., individually and  
 successor to or formerly known as Sid Harvey  
 Sales Co.;  
 SOUTHDOWN INC., as successor to Moore-McCormack  
 Lines Inc. (named only as to sub-plaintiff  
 Loretta Caprara, Individually and as the  
 Executrix of the Estate of Frank P. Caprara);  
 SOUTHERN TEXTILE CORPORATION, division of H.K.  
 Porter Company;  
 SPRAYCRAFT CORPORATION, now known as H & A  
 Construction Corp.;  
 STALEY ELEVATOR CO., INC. (named only as to  
 sub-plaintiff John Brennan);  
 STANDARD INSULATION CO., formerly Standard  
 Asbestos Co.;  
 STATE INSULATION CORP. (named only as to  
 sub-plaintiffs Martin F. Sinatra and  
 Kathryn Sinatra);  
 STONE & WEBSTER ENGINEERING CORPORATION;  
 THOMAS O'CONNOR & CO., INC.;  
 THYSSENKRUPP ELEVATOR CORPORATION, formerly  
 known as Dover Elevator Company (named only  
 as to sub-plaintiff John Brennan);  
 TISHMAN LIQUIDATING CORP., formerly known as  
 Tishman Realty & Construction Co., Inc.;  
 TISHMAN REALTY & CONSTRUCTION CO., INC.;  
 TREADWELL CORPORATION;

TURNER & NEWALL, P.L.C., individually and as  
 successor to and alter ego of Keasbey &  
 Mattison Co. and Bell Asbestos Mines, Ltd.;  
**TURNER CONSTRUCTION COMPANY;**  
**UNIROYAL, INC.**, individually and as successor  
 to United States Rubber Company, Inc.;  
**UNITED STATES GYPSUM COMPANY;**  
**UNITED STATES MINERAL PRODUCTS COMPANY;**  
**VERMONT ASBESTOS GROUP** (named only as to  
 sub-plaintiff Kenneth C. Heyl);  
**W.R. GRACE & CO. - CONN**, formerly W.R. Grace &  
 Co., individually and as successor to  
 Zonolite Corporation;  
**WEIL-McLAIN**, a division of the Marley Company,  
 successor in interest to the Wylain Co.;  
**WESTINGHOUSE ELECTRIC CORPORATION;**  
**WESTINGHOUSE ELEVATOR COMPANY** (named only as to  
 sub-plaintiff John Brennan);  
**WOLFF & MUNIER SERVICE COMPANY, INC.;**  
**WOOLSULATE CORPORATION;**  
**WORTHINGTON CORPORATION;**  
**YORK INDUSTRIES CORP.**, formerly York Insulation  
 Company;  
**JOHN DOE 1 through JOHN DOE 75**  
 (fictitious),

Defendants.

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Plaintiffs, complaining of the defendants, by Wilentz,  
 Goldman & Spitzer, P.C., their attorneys, respectfully allege, upon  
 information and belief, at all times hereinafter mentioned, as  
 follows:

**PARTIES - PLAINTIFFS**

1. Martin F. Sinatra resides at 108 Bowne Court,  
 Matawan, New Jersey 07747 and served in the U.S. Navy from 1964 to  
 1966, worked for New York Telephone as a wireman from 1966 to 1967,  
 worked for United Airlines as an equipment operator from 1967 to  
 1968. Plaintiff has been a member of Plumbers Union Local 1 and  
 Local 371 from 1973 to the present and has worked at various  
 locations throughout New York and New Jersey including Brooklyn Navy  
 Yard, Bethlehem Steel Shipyard, JCP&L Powerhouses and PSE&G  
 Powerhouses. In these capacities, and at other times and places, he  
 was exposed to dust from asbestos and asbestos containing products  
 and he has contracted esophageal cancer and other serious diseases.
2. Kathryn Sinatra is the lawful wife of Martin F.  
 Sinatra.



# LENTZ GOLDMAN &SPITZER P.A.

## ATTORNEYS AT LAW

90 Woodbridge Center Drive  
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Woodbridge, NJ 07095-0958  
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(212) 267-3091  
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<http://www.wilentz.com>

Please reply to:  
New York  
Direct Dial: (646) 746-8914  
[lexarchakis@wilentz.com](mailto:lexarchakis@wilentz.com)

DAVID T. WILENTZ (DL 1988)  
G. GEORGE GOLDMAN (1922-1959)  
HENRY M. SPITZER (1928-1988)

WARREN W. WILENTZ  
MATTHIAS D. DILEO  
MORRIS BROWN  
FREDERIC K. BECKER  
NICHOLAS L. SANTOWASSO  
RICHARD F. LERT  
JOHN A. HOFFMAN  
STEPHEN E. BARCAN  
FRANCIS V. BONELLO  
VINCENT P. MALTESE  
DAVID M. WILSTEIN  
GORDON J. GOLUM  
MARVIN J. BRAUTH  
STUART A. HOBERMAN  
STEPHEN A. SPITZER  
ANNE S. BABINEAU  
CHRISTINE D. PETRUZZELL  
BRIAN J. MOLLOY  
RANDALL J. RICHARDS  
SHELDON E. JAFFE  
JOSEPH J. JANKOWSKI  
DAVID S. GORDON  
FREDERICK J. DENNEHY  
ROY H. TANZMAN  
STEVEN J. TRIPP  
JAY J. ZIZNEWSKI  
ALAN WASSERMAN  
JAMES E. TRABILSY  
MAUREEN S. BINETTI  
ANTHONY J. PANNELLA, JR.  
MICHAEL J. BARRETT  
MICHAEL F. SCHAFF  
ANGELO JOHN CIFALDI  
FRANCIS X. JOURNICK, JR.  
KEVIN M. BERRY  
NOEL S. TONNEMAN  
JOHN T. KELLY  
C. KENNETH SHANK

BARRY A. COOPER  
JONG G. KUPIK  
PETER R. HERMAN  
EDWARD T. KOLE  
HESSER G. MCBRIDE, JR.  
ERIC JOHN MARCY  
ROBERT C. KAUTZ  
VIOLA S. LORDI  
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FRED HOPKE  
CHARLES F. VUOTTO, JR.  
DONALD E. TAYLOR  
BARRY R. SUGARMAN  
BRETT R. HARRIS  
ALFRED M. ANTHONY  
DARREN M. GELBER  
MATTHEW M. WEISSMAN  
WILLIAM J. LINTON  
DONNA M. JENNINGS  
GIOVANNI ANZALONE  
PETER A. GREENBAUM  
WILLARD C. SHIH  
BLAIR R. ZWILLMAN  
STEVEN R. ENIS  
LAWRENCE C. WEINER  
OF COUNSEL  
ROBERT A. PETITO  
HAROLD G. SMITH  
ALFRED J. HILL (1962-2002)  
ROBERT J. CIRAFESI (1970-2004)  
ALAN B. HANDLER  
DOUGLAS T. HAGUE  
MYRON ROSNER  
COUNSEL  
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SUSANNE S. O'DONOHUE

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RUTH D. MARCUS  
RICHARD J. BYRNES  
JAY V. SURGENT  
LEE ANN MCCABE  
LAURIE E. MEYERS  
JAMES P. LUNDY  
ELIZABETH FARLEY MURPHY  
JAMES E. TONREY, JR.  
DEIRDRE WOLFE PACHECO  
ROBERTO BENITES

ASSOCIATES  
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LORETTA KIRSCH PRIVES  
YVONNE MARCUSE  
ELIZABETH C. DELL  
ABBY RESNICK-PARIGIAN  
BRIAN KALVER  
ELLEN TORREGROSSA-O'CONNOR  
NANCY A. SLOWE  
KELLY A. ERHARDT-WOJIE  
JEFFREY J. BROOKNER  
JAMES E. MCGUIRE  
FRANCINE E. TAJFEL  
ELIZABETH SISO BAIR  
RONALD P. COLICCHIO  
M. MATTHEW MANNION  
DANIEL M. SERVIS  
COURTENAY C. HANSEN  
TODD E. LEHDER  
JOHN M. CANTALUPO  
JOHN E. HOGAN  
DONNA A. MCBARRON  
DANIEL R. WASP  
JOSEPH R. ZAPATA, JR.  
JOHN P. MURDOCH II  
ANNA MARIA TEJADA  
MARY H. SMITH  
EDWARD J. ALBOWICZ  
THOMAS P. KELLY

LINDA I. MONFORTH  
JENNIFER D. SOYKA  
EVERETT M. JOHNSON  
ALEX LYUBARSKY  
GERASIMOS M. KITSOPoulos  
KEVEN H. FRIEDMAN  
GREGORY D. SHAFFER  
JESSICA S. PYATT  
LOUIS J. SEMINSKI, JR.  
LILLIAN A. PLATA  
ROBERT L. SELVERS  
PAMELA R. GOLD-ZAFRA  
ALYSON M. LEONE  
JULIE A. DEMAREE  
KEITH L. HOVER  
GEMMA L. ABERNOVICH  
KRISTEN M. BENEDETTO  
KARL AUGUST DORWART  
GIRA A. DESAI  
JOSEPH J. RUSSELL, JR.  
DEEPA KAIKEN  
DANIEL A. PRUPIS

◊ Certified Civil Trial Attorney  
□ Certified Criminal Trial Attorney  
‡ Certified Matrimonial Attorney  
† Certified Workers Compensation Attorney  
\* National Certified Civil Trial Specialist  
Approved by the ABA  
1 Not admitted NJ  
2 Admitted NY  
3 Admitted PA  
4 Admitted CT  
5 Admitted DC  
6 Admitted MA  
7 Admitted MD  
8 Admitted MI  
9 Admitted VA  
10 Admitted FL

October 11, 2006

Suzanne Halbardier, Esq.  
Barry, McTiernan & Moore  
2 Rector Street, 14th Floor  
New York, NY 10006

Re: Asbestos Litigation Settlements  
STATE INSULATION CORP.; Feb 3, 2005  
Balance due: \$16,250.00

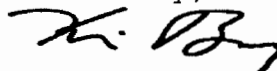
Dear Counsel:

We previously submitted closing documents to your office in favor of the above-referenced defendant. According to our records, the amount of \$16,250.00 remains due and unpaid under the referenced settlement agreement. For your convenience, we have attached a Settlement Agreement Status Report.

Please forward the outstanding balance at this time. If payment is not made within 30 days, we will file a Motion to Enforce this settlement agreement. Because of renewed efforts toward enacting federal asbestos legislation, we regret that we do not have any flexibility in enforcing payment of this agreement.

If you have any questions, please contact the undersigned, or our settlement coordinator, Lori L. Exarchakis at (732) 636-8000 extension 5788.

Sincerely,



Kevin M. Berry

KMB/lle  
Enclosures



RUSSO V. A.P. GREEN INDUSTR. - 116214/98  
Russo, Paula Russo, John J.

2,875.00 05/18/2005 2,875.00

SCANZANO V. ABB LUMMUS CREST - 103787/95  
Scanzano, Anna Scanzano, Dominick

0.00 0.00

SINATRA V. ABB LUMMUS CREST - 105886/01  
Sinatra, Kathryn Sinatra, Martin F.

5,750.00 05/18/2005 5,750.00

SLIVKA V. ABB LUMMUS CREST - 102437/01  
Slivka, William J. Slivka, George

11,500.00 05/18/2005 11,500.00

VENTURINO V. ABB LUMMUS - 109033/98  
Ceria, Philip

2,875.00 05/18/2005 2,875.00

VINSKO V. ABB LUMMUS CREST - 125309/00  
Vinsko, Joan Vinsko, Raymond E.

2,875.00 0.00

WARD V. ABB LUMMUS CREST - 121211/00  
Ward, Janice Ward, Jerome

11,500.00 05/18/2005 11,500.00

x:\tc52558\adoption

WILLIAM D. JOYCE, III (WDJ9899)  
BARRY, McTIERNAN & MOORE  
2 Rector Street -- 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

Attorneys for Defendants STRUCTURE TONE, INC. s/h/a STRUCTURE TONE  
(UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION

-----X  
JOEL CHALCO,

Plaintiff,

-against-

**NOTICE OF  
ADOPTION**

**08 CIV 2268**

ON SITE:

7 WORLD TRADE COMPANY, L.P.; A RUSSO WRECKING,  
INC.; ABM INDUSTRIES, INC.; ABM JANITORIAL  
NORTHEAST, INC.; AMEC CONSTRUCTION  
MANAGEMENT, INC.; AMEC EARTH &  
ENVIRONMENTAL, INC.; ANTHONY CORTESE  
SPECIALIZED HAULING LLC.; ATLANTIC HEYDT  
CORP.; BECHTEL ASSOCIATES PROFESSIONAL  
CORPORATION; BECHTEL CONSTRUCTION, INC.;  
BECHTEL CORPORATION; BECHTEL ENVIRONMENTAL,  
INC.; BERKEL & COMPANY, CONTRACTORS, INC.;  
BIG APPLE WRECKING & CONSTRUCTION CORP.;  
BOVIS LEND LEASE LMB, INC.; BREEZE CARTING  
CORP.; BREEZE NATIONAL INC.; BRER-FOUR  
TRANSPORTATION CORP.; BURO HAPPOLD  
CONSULTING ENGINEERS, P.C.; C.B. CONTRACTING  
CORP.; CANRON CONSTRUCTION CORP.; CORD  
CONTRACTING CO., INC.; DAKOTA DEMO-TECH;  
DIAMOND POINT EXCAVATING CORP.; DIEGO  
CONSTRUCTION, INC.; DIVERSIFIED CARTING, INC.;  
DMT ENTERPRISE, INC.; D'ONOFRIO GENERAL  
CONTRACTORS CORP.; EAGLE LEASING &  
INDUSTRIAL SUPPLY, INC.; EAGLE ONE ROOFING  
CONTRACTORS INC.; EJ DAVIES, INC.; EN-TECH

CORP.; EVERGREEN RECYCLING OF CORONA (EROC);  
EWELL W. FINLEY, P.C.; EXECUTIVE MEDICAL  
SERVICES, P.C.; FLEET TRUCKING, INC.; FRANCIS  
A. LEE EXTERIOR RESTORATION, INC.; FTI  
TRUCKING, INC.; GILSANZ, MURRAY, & STEFICEK,  
LLP; GOLDSTEIN ASSOCIATES CONSULTING  
ENGINEERS, PLLC; HALLEN WELDING SERVICE,  
INC.; H.P. ENVIRONMENTAL; KOCH SKANSKA INC.;  
LAQUILA CONSTRUCTION INC.; LASTRADA  
GENERAL CONTRACTING CORP.; LESLIE E.  
ROBERTSON ASSOCIATES CONSULTING ENGINEERS,  
P.C.; LIBERTY MUTUAL GROUP; LOCKWOOD,  
KESSLER & BARTLETT, INC.; LUCIUS PITKIN, INC.;  
LZA TECH-DIV OF THORTON TOMASETTI; MANAFORT  
BROTHERS INCORPORATED; MAZZOCCHI WRECKING,  
INC.; HUDSON MERIDIAN CONSTRUCTION GROUP, LLC  
F/K/A MERIDIAN CONSTRUCTION CORP.; MORETRENCH  
AMERICAN CORP.; MRA ENGINEERING, PC; MUESER  
RUTLEDGE CONSULTING ENGINEERS, INC.; NACIREMA  
INDUSTRIES INCORPORATED; NEW YORK CRANE &  
EQUIPMENT CORP.; NICHOLSON CONSTRUCTION  
COMPANY; PETER SCALAMANDRE & SONS, INC.;  
PINNACLE ENVIRONMENTAL CORP.; PLAZA  
CONSTRUCTION CORP.; PORT AUTHORITY OF NEW  
YORK AND NEW JERSEY; PRO SAFETY SERVICES LLC;  
PT & L CONTRACTING CORP.; ROBER SILMAN ASSOCIATES;  
ROBERT L. GEROSA, INC.; RODAR ENTERPRISES, INC.;  
ROYAL GM, INC.; SAB TRUCKING INC.; SAFEWAY  
ENVIRONMENTAL CORP.; SEASONS INDUSTRIAL  
CONTRACTING; SEMCOR EQUIPMENT & MANUFACTURING  
CORP.; SILVERITE CONTRACTING CORPORATION;  
SIMPSON GUMPERTZ & HEGER INC.; SKIDMORE  
OWING & MERRILL LLP; SURVIVAIR; TISHMAN  
CONSTRUCTION CORPORATION OF MANHATTAN;  
TISHMAN CONSTRUCTION CORPORATION OF NEW YORK;  
TISHMAN INTERIORS CORPORATION; TISHMAN  
SPEYER PROPERTIES; THORTON-TOMASETTI GROUP,  
INC.; TORRETTA TRUCKING, INC.; TOTAL SAFETY  
CONSULTING, L.L.C.; TUCCI EQUIPMENT RENTAL CORP.;  
TULLY CONSTRUCTION CO., INC.; TURNER CONSTRUCTION  
COMPANY; ULTIMATE DEMOLITION/CS HAULING (JOINT  
VENTURE); VOLLMER ASSOCIATES LLP; WEEKS MARINE,  
INC.; WEIDLINGER ASSOCIATES, CONSULTING  
ENGINEERS, P.C.; WHITNEY CONTRACTING INC.;  
WOLKOW-BRAKER ROOFING CORP.; WORLD TRADE  
CENTER PROPERTIES LLC; WSP CANTOR SEINUK;

YANNUZZI & SONS, INC.; YONKERS CONTRACTING  
COMPANY, INC.; YORK HUNTER CONSTRUCTION, LLC;  
ZIEGENFUSS DRILLING, INC.;

OFF SITE:

ALAN KASMAN DBA KASCO, AMERICAN EXPRESS BANK,  
LTD, AMERICAN EXPRESS COMPANY, AMERICAN EXPRESS  
TRAVEL RELATED SERVICES COMPANY, INC., ANN TAYLOR  
STORES CORPORATION, BANKERS TRUST COMPANY,  
BATTERY PARK CITY AUTHORITY, BFP TOWER C CO. LLC.,  
BFP TOWER C MM LLC., BLACKMON-MOORING-STEAMATIC  
CATASTROPHE, INC. D/B/A BMS CAT, BROOKFIELD  
FINANCIAL PROPERTIES, INC., BROOKFIELD FINANCIAL  
PROPERTIES, LP, BROOKFIELD PARTNERS, LP, BROOKFIELD  
PROPERTIES CORPORATION, BROOKFIELD PROPERTIES  
HOLDINGS INC., BT PRIVATE CLIENTS CORP.; DEUTSCHE  
BANK TRUST COMPANY, DEUTSCHE BANK TRUST  
COMPANY AMERICAS, DEUTSCHE BANK TRUST  
CORPORATION, ENVIROTECH CLEAN AIR, INC., GPS  
ENVIRONMENTAL CONSULTANTS, INC., HILLMAN  
ENVIRONMENTAL GROUP, LLC., INDOOR ENVIRONMENTAL  
TECHNOLOGY, INC., KASCO RESTORATION SERVICES CO.,  
LEHMAN BROTHERS HOLDINGS INC., LEHMAN BROTHERS,  
INC., LEHMAN COMMERCIAL PAPER, INC., MERRILL LYNCH  
& CO., INC., NOMURA HOLDING AMERICA, INC., NOMURA  
SECURITIES INTERNATIONAL, INC., SABINE ZERARKA,  
STRUCTURE TONE (UK), INC., STRUCTURE TONE GLOBAL  
SERVICES, INC., THE BANK OF NEW YORK TRUST COMPANY  
NA, THE NEW YORK CITY DEPARTMENT OF EDUCATION,  
TISHMAN INTERIORS CORPORATION, TOSCORP INC.,  
TRAMMELL CROW COMPANY, TRAMMELL CROW  
CORPORATE SERVICES, INC., TUCKER ANTHONY, INC.,  
TULLY CONSTRUCTION CO., INC., TULLY INDUSTRIES, INC.,  
WESTON SOLUTIONS, INC., WFP RETAIL CO. G.P. CORP.,  
WFP RETAIL CO. L.P., WFP TOWER A CO., WFP TOWER A CO.  
G.P. CORP., WFP TOWER A CO., L.P., WFP TOWER B CO. G.P.  
CORP., WFP TOWER B HOLDING CO., LP, WFP TOWER B CO.,  
L.P., WFP TOWER D CO. G.P. CORP., WFP TOWER D HOLDING  
CO. I L.P., WFP TOWER D HOLDING CO. II L.P., WFP TOWER  
D HOLDING I G.P. CORP., AND WFP TOWER D. CO., L.P., ET AL

Defendants.

-----X

PLEASE TAKE NOTICE that defendants, STRUCTURE TONE, INC. s/h/a

STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES,

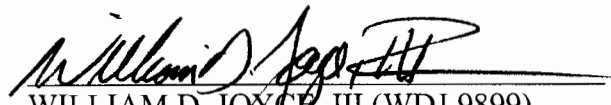


INC. (hereinafter "STRUCTURE TONE"), as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed in the above-referenced action, hereby adopts STRUCTURE TONE's Answer to the Master Complaint dated July 30, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that STRUCTURE TONE's Answer to the Master Complaint does not comprehensively address any of the specific allegations within the Check-Off Complaint in the above-captioned matter, STRUCTURE TONE denies knowledge or information sufficient to form a belief as to the truth of such specific allegations.

WHEREFORE, STRUCTURE TONE, INC. s/h/a STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC., demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York  
July 22, 2008



WILLIAM D. JOYCE, III (WDJ 9899)  
BARRY, McTIERNAN & MOORE  
Attorneys for Defendants  
STRUCTURE TONE, INC. s/h/a  
STRUCTURE TONE (UK), INC. and  
STRUCTURE TONE GLOBAL SERVICES, INC.  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

x:\tc52559\adoption

WILLIAM D. JOYCE, III (WDJ9899)  
BARRY, McTIERNAN & MOORE  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

Attorneys for Defendants STRUCTURE TONE, INC. s/h/a STRUCTURE TONE  
(UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION

-----X  
LUIS CHIRINOS,

Plaintiff,

-against-

**NOTICE OF  
ADOPTION**

**08 CIV 2260**

ON SITE:

7 WORLD TRADE COMPANY, L.P.; A RUSSO WRECKING,  
INC.; ABM INDUSTRIES, INC.; ABM JANITORIAL  
NORTHEAST, INC.; AMEC CONSTRUCTION  
MANAGEMENT, INC.; AMEC EARTH &  
ENVIRONMENTAL, INC.; ANTHONY CORTESE  
SPECIALIZED HAULING LLC.; ATLANTIC HEYDT  
CORP.; BECHTEL ASSOCIATES PROFESSIONAL  
CORPORATION; BECHTEL CONSTRUCTION, INC.;  
BECHTEL CORPORATION; BECHTEL ENVIRONMENTAL,  
INC.; BERKEL & COMPANY, CONTRACTORS, INC.;  
BIG APPLE WRECKING & CONSTRUCTION CORP.;  
BOVIS LEND LEASE LMB, INC.; BREEZE CARTING  
CORP.; BREEZE NATIONAL INC.; BRER-FOUR  
TRANSPORTATION CORP.; BURO HAPPOLD  
CONSULTING ENGINEERS, P.C.; C.B. CONTRACTING  
CORP.; CANRON CONSTRUCTION CORP.; CORD  
CONTRACTING CO., INC.; DAKOTA DEMO-TECH;  
DIAMOND POINT EXCAVATING CORP.; DIEGO  
CONSTRUCTION, INC.; DIVERSIFIED CARTING, INC.;  
DMT ENTERPRISE, INC.; D'ONOFRIO GENERAL  
CONTRACTORS CORP.; EAGLE LEASING &  
INDUSTRIAL SUPPLY, INC.; EAGLE ONE ROOFING  
CONTRACTORS INC.; EJ DAVIES, INC.; EN-TECH

CORP.; EVERGREEN RECYCLING OF CORONA (EROC);  
EWELL W. FINLEY, P.C.; EXECUTIVE MEDICAL  
SERVICES, P.C.; FLEET TRUCKING, INC.; FRANCIS  
A. LEE EXTERIOR RESTORATION, INC.; FTI  
TRUCKING, INC.; GILSANZ, MURRAY, & STEFICEK,  
LLP; GOLDSTEIN ASSOCIATES CONSULTING  
ENGINEERS, PLLC; HALLEN WELDING SERVICE,  
INC.; H.P. ENVIRONMENTAL; KOCH SKANSKA INC.;  
LAQUILA CONSTRUCTION INC.; LASTRADA  
GENERAL CONTRACTING CORP.; LESLIE E.  
ROBERTSON ASSOCIATES CONSULTING ENGINEERS,  
P.C.; LIBERTY MUTUAL GROUP; LOCKWOOD,  
KESSLER & BARTLETT, INC.; LUCIUS PITKIN, INC.;  
LZA TECH-DIV OF THORTON TOMASETTI; MANAFORT  
BROTHERS INCORPORATED; MAZZOCCHI WRECKING,  
INC.; HUDSON MERIDIAN CONSTRUCTION GROUP, LLC  
F/K/A MERIDIAN CONSTRUCTION CORP.; MORETRENCH  
AMERICAN CORP.; MRA ENGINEERING, PC; MUESER  
RUTLEDGE CONSULTING ENGINEERS, INC.; NACIREMA  
INDUSTRIES INCORPORATED; NEW YORK CRANE &  
EQUIPMENT CORP.; NICHOLSON CONSTRUCTION  
COMPANY; PETER SCALAMANDRE & SONS, INC.;  
PINNACLE ENVIRONMENTAL CORP.; PLAZA  
CONSTRUCTION CORP.; PORT AUTHORITY OF NEW  
YORK AND NEW JERSEY; PRO SAFETY SERVICES LLC;  
PT & L CONTRACTING CORP.; ROBER SILMAN ASSOCIATES;  
ROBERT L. GEROSA, INC.; RODAR ENTERPRISES, INC.;  
ROYAL GM, INC.; SAB TRUCKING INC.; SAFEWAY  
ENVIRONMENTAL CORP.; SEASONS INDUSTRIAL  
CONTRACTING; SEMCOR EQUIPMENT & MANUFACTURING  
CORP.; SILVERITE CONTRACTING CORPORATION;  
SIMPSON GUMPERTZ & HEGER INC.; SKIDMORE  
OWING & MERRILL LLP; SURVIVAIR; TISHMAN  
CONSTRUCTION CORPORATION OF MANHATTAN;  
TISHMAN CONSTRUCTION CORPORATION OF NEW YORK;  
TISHMAN INTERIORS CORPORATION; TISHMAN  
SPEYER PROPERTIES; THORTON-TOMASETTI GROUP,  
INC.; TORRETTA TRUCKING, INC.; TOTAL SAFETY  
CONSULTING, L.L.C.; TUCCI EQUIPMENT RENTAL CORP.;  
TULLY CONSTRUCTION CO., INC.; TURNER CONSTRUCTION  
COMPANY; ULTIMATE DEMOLITION/CS HAULING (JOINT  
VENTURE); VOLLMER ASSOCIATES LLP; WEEKS MARINE,  
INC.; WEIDLINGER ASSOCIATES, CONSULTING  
ENGINEERS, P.C.; WHITNEY CONTRACTING INC.;  
WOLKOW-BRAKER ROOFING CORP.; WORLD TRADE  
CENTER PROPERTIES LLC; WSP CANTOR SEINUK;

YANNUZZI & SONS, INC.; YONKERS CONTRACTING  
COMPANY, INC.; YORK HUNTER CONSTRUCTION, LLC;  
ZIEGENFUSS DRILLING, INC.;

OFF SITE:

90 CHURCH STREET LIMITED PARTNERSHIP, AMBIENT  
GROUP, INC., BANKERS TRUST COMPANY, BANKERS  
TRUST CORP., BANKERS TRUST NEW YORK CORPORATION,  
BELFOR USA GROUP, INC., BOSTON PROPERTIES, INC., BT  
PRIVATE CLIENTS CORP.; CONSTITUTION REALTY LLC,  
DEUTSCHE BANK TRUST COMPANY, DEUTSCHE BANK  
TRUST COMPANY AMERICAS, DEUTSCHE BANK TRUST  
CORPORATION, HILLMAN ENVIRONMENTAL GROUP, LLC.,  
JONES LANG LASALLE AMERICAS, INC., JONES LANG  
LASALLE SERVICES, INC., ONE WALL STREET HOLDINGS,  
LLC, STRUCTURE TONE (UK), INC., STRUCTURE TONE GLOBAL  
SERVICES, INC., THE BANK OF NEW YORK COMPANY,  
INC., THE BANK OF NEW YORK TRUST COMPANY NA,  
TISHMAN INTERIORS CORPORATION, TULLY CONSTRUCTION  
CO., INC., TULLY INDUSTRIES, INC., AND VERIZON NEW  
YORK, INC., ET AL

Defendants.

-----X

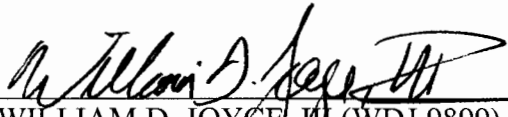
PLEASE TAKE NOTICE that defendants, STRUCTURE TONE, INC. s/h/a  
STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES,  
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Complaint filed in the above-referenced action, hereby adopts STRUCTURE TONE's  
Answer to the Master Complaint dated July 30, 2007, which was filed in the matter of *In  
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To the extent that STRUCTURE TONE's Answer to the Master Complaint does  
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Complaint in the above-captioned matter, STRUCTURE TONE denies knowledge or  
information sufficient to form a belief as to the truth of such specific allegations.



WHEREFORE, STRUCTURE TONE, INC. s/h/a STRUCTURE TONE (UK),  
INC. and STRUCTURE TONE GLOBAL SERVICES, INC., demands judgment  
dismissing the above-captioned action as against it, together with its costs and  
disbursements.

Dated: New York, New York  
July 22, 2008

  
WILLIAM D. JOYCE, III (WDJ 9899)  
BARRY, McTIERNAN & MOORE  
Attorneys for Defendants  
STRUCTURE TONE, INC. s/h/a  
STRUCTURE TONE (UK), INC. and  
STRUCTURE TONE GLOBAL SERVICES, INC.  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

x:\tc52560\adoption

WILLIAM D. JOYCE, III (WDJ9899)  
BARRY, McTIERNAN & MOORE  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

Attorneys for Defendants STRUCTURE TONE, INC. s/h/a STRUCTURE TONE  
(UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION

-----X  
SARBELIA COBALLES,

Plaintiff,

-against-

**NOTICE OF  
ADOPTION**

**08 CIV 2261**

ON SITE:

7 WORLD TRADE COMPANY, L.P.; A RUSSO WRECKING,  
INC.; ABM INDUSTRIES, INC.; ABM JANITORIAL  
NORTHEAST, INC.; AMEC CONSTRUCTION  
MANAGEMENT, INC.; AMEC EARTH &  
ENVIRONMENTAL, INC.; ANTHONY CORTESE  
SPECIALIZED HAULING LLC.; ATLANTIC HEYDT  
CORP.; BECHTEL ASSOCIATES PROFESSIONAL  
CORPORATION; BECHTEL CONSTRUCTION, INC.;  
BECHTEL CORPORATION; BECHTEL ENVIRONMENTAL,  
INC.; BERKEL & COMPANY, CONTRACTORS, INC.;  
BIG APPLE WRECKING & CONSTRUCTION CORP.;  
BOVIS LEND LEASE LMB, INC.; BREEZE CARTING  
CORP.; BREEZE NATIONAL INC.; BRER-FOUR  
TRANSPORTATION CORP.; BURO HAPPOLD  
CONSULTING ENGINEERS, P.C.; C.B. CONTRACTING  
CORP.; CANRON CONSTRUCTION CORP.; CORD  
CONTRACTING CO., INC.; DAKOTA DEMO-TECH;  
DIAMOND POINT EXCAVATING CORP.; DIEGO  
CONSTRUCTION, INC.; DIVERSIFIED CARTING, INC.;  
DMT ENTERPRISE, INC.; D'ONOFRIO GENERAL  
CONTRACTORS CORP.; EAGLE LEASING &  
INDUSTRIAL SUPPLY, INC.; EAGLE ONE ROOFING  
CONTRACTORS INC.; EJ DAVIES, INC.; EN-TECH

CORP.; EVERGREEN RECYCLING OF CORONA (EROC);  
EWELL W. FINLEY, P.C.; EXECUTIVE MEDICAL  
SERVICES, P.C.; FLEET TRUCKING, INC.; FRANCIS  
A. LEE EXTERIOR RESTORATION, INC.; FTI  
TRUCKING, INC.; GILSANZ, MURRAY, & STEFICEK,  
LLP; GOLDSTEIN ASSOCIATES CONSULTING  
ENGINEERS, PLLC; HALLEN WELDING SERVICE,  
INC.; H.P. ENVIRONMENTAL; KOCH SKANSKA INC.;  
LAQUILA CONSTRUCTION INC.; LASTRADA  
GENERAL CONTRACTING CORP.; LESLIE E.  
ROBERTSON ASSOCIATES CONSULTING ENGINEERS,  
P.C.; LIBERTY MUTUAL GROUP; LOCKWOOD,  
KESSLER & BARTLETT, INC.; LUCIUS PITKIN, INC.;  
LZA TECH-DIV OF THORTON TOMASETTI; MANAFORT  
BROTHERS INCORPORATED; MAZZOCCHI WRECKING,  
INC.; HUDSON MERIDIAN CONSTRUCTION GROUP, LLC  
F/K/A MERIDIAN CONSTRUCTION CORP.; MORETRENCH  
AMERICAN CORP.; MRA ENGINEERING, PC; MUESER  
RUTLEDGE CONSULTING ENGINEERS, INC.; NACIREMA  
INDUSTRIES INCORPORATED; NEW YORK CRANE &  
EQUIPMENT CORP.; NICHOLSON CONSTRUCTION  
COMPANY; PETER SCALAMANDRE & SONS, INC.;  
PINNACLE ENVIRONMENTAL CORP.; PLAZA  
CONSTRUCTION CORP.; PORT AUTHORITY OF NEW  
YORK AND NEW JERSEY; PRO SAFETY SERVICES LLC;  
PT & L CONTRACTING CORP.; ROBER SILMAN ASSOCIATES;  
ROBERT L. GEROSA, INC.; RODAR ENTERPRISES, INC.;  
ROYAL GM, INC.; SAB TRUCKING INC.; SAFEWAY  
ENVIRONMENTAL CORP.; SEASONS INDUSTRIAL  
CONTRACTING; SEMCOR EQUIPMENT & MANUFACTURING  
CORP.; SILVERITE CONTRACTING CORPORATION;  
SIMPSON GUMPERTZ & HEGER INC.; SKIDMORE  
OWING & MERRILL LLP; SURVIVAIR; TISHMAN  
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TISHMAN CONSTRUCTION CORPORATION OF NEW YORK;  
TISHMAN INTERIORS CORPORATION; TISHMAN  
SPEYER PROPERTIES; THORTON-TOMASETTI GROUP,  
INC.; TORRETTA TRUCKING, INC.; TOTAL SAFETY  
CONSULTING, L.L.C.; TUCCI EQUIPMENT RENTAL CORP.;  
TULLY CONSTRUCTION CO., INC.; TURNER CONSTRUCTION  
COMPANY; ULTIMATE DEMOLITION/CS HAULING (JOINT  
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ENGINEERS, P.C.; WHITNEY CONTRACTING INC.;  
WOLKOW-BRAKER ROOFING CORP.; WORLD TRADE  
CENTER PROPERTIES LLC; WSP CANTOR SEINUK;

YANNUZZI & SONS, INC.; YONKERS CONTRACTING  
COMPANY, INC.; YORK HUNTER CONSTRUCTION, LLC;  
ZIEGENFUSS DRILLING, INC.;

OFF SITE:

ALAN KASMAN DBA KASCO, AM & G WATERPROOFING  
LLC, ANN TAYLOR STORES CORPORATION, BANKERS TRUST  
COMPANY, BATTERY PARK CITY AUTHORITY, BLACKMON-  
MOORING-STEAMATIC CATASTROPHE, INC. D/B/A BMS CAT,  
BROOKFIELD FINANCIAL PROPERTIES, INC., BROOKFIELD  
FINANCIAL PROPERTIES, LP, BROOKFIELD PARTNERS, LP,  
BROOKFIELD PROPERTIES CORPORATION, BROOKFIELD  
PROPERTIES HOLDINGS INC., BT PRIVATE CLIENTS CORP.;  
DEUTSCHE BANK TRUST COMPANY, DEUTSCHE BANK TRUST  
COMPANY AMERICAS, DEUTSCHE BANK TRUST  
CORPORATION, ENVIROTECH CLEAN AIR, INC., GPS  
ENVIRONMENTAL CONSULTANTS, INC., HILLMAN  
ENVIRONMENTAL GROUP, LLC., INDOOR ENVIRONMENTAL  
TECHNOLOGY, INC., KASCO RESTORATION SERVICES CO.,  
MERRILL LYNCH & CO., INC., NOMURA HOLDING AMERICA,  
INC., NOMURA SECURITIES INTERNATIONAL, INC., STRUCTURE  
TONE (UK), INC., STRUCTURE TONE GLOBAL SERVICES, INC.,  
THE BANK OF NEW YORK TRUST COMPANY NA, TISHMAN  
INTERIORS CORPORATION, TOSCORP INC., TULLY CONSTRUCTION  
CO., INC., TULLY INDUSTRIES, INC., WESTON SOLUTIONS, INC.,  
WFP TOWER B CO. G.P. CORP., WFP TOWER B HOLDING CO., LP,  
AND WFP TOWER B. CO., ET AL

Defendants.

-----X

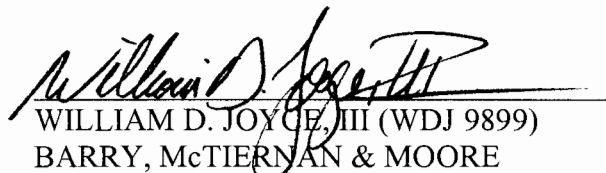
PLEASE TAKE NOTICE that defendants, STRUCTURE TONE, INC. s/h/a  
STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES,  
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WHEREFORE, STRUCTURE TONE, INC. s/h/a STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC., demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York  
July 22, 2008

A handwritten signature in black ink, appearing to read "William D. Joyce, III", is written over a horizontal line.

WILLIAM D. JOYCE, III (WDJ 9899)  
BARRY, McTIERNAN & MOORE  
Attorneys for Defendants  
STRUCTURE TONE, INC. s/h/a  
STRUCTURE TONE (UK), INC. and  
STRUCTURE TONE GLOBAL SERVICES, INC.  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

x:\tc52561\adoption

WILLIAM D. JOYCE, III (WDJ9899)  
BARRY, McTIERNAN & MOORE  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

Attorneys for Defendants STRUCTURE TONE, INC. s/h/a STRUCTURE TONE  
(UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION

-----X  
DAVID CUEVAS AND LUPE VALASQUEZ,

Plaintiffs,

-against-

**NOTICE OF  
ADOPTION**

ON SITE:

7 WORLD TRADE COMPANY, L.P.; A RUSSO WRECKING,  
INC.; ABM INDUSTRIES, INC.; ABM JANITORIAL  
NORTHEAST, INC.; AMEC CONSTRUCTION  
MANAGEMENT, INC.; AMEC EARTH &  
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CORP.; BECHTEL ASSOCIATES PROFESSIONAL  
CORPORATION; BECHTEL CONSTRUCTION, INC.;  
BECHTEL CORPORATION; BECHTEL ENVIRONMENTAL,  
INC.; BERKEL & COMPANY, CONTRACTORS, INC.;  
BIG APPLE WRECKING & CONSTRUCTION CORP.;  
BOVIS LEND LEASE LMB, INC.; BREEZE CARTING  
CORP.; BREEZE NATIONAL INC.; BRER-FOUR  
TRANSPORTATION CORP.; BURO HAPPOLD  
CONSULTING ENGINEERS, P.C.; C.B. CONTRACTING  
CORP.; CANRON CONSTRUCTION CORP.; CORD  
CONTRACTING CO., INC.; DAKOTA DEMO-TECH;  
DIAMOND POINT EXCAVATING CORP.; DIEGO  
CONSTRUCTION, INC.; DIVERSIFIED CARTING, INC.;  
DMT ENTERPRISE, INC.; D'ONOFRIO GENERAL  
CONTRACTORS CORP.; EAGLE LEASING &  
INDUSTRIAL SUPPLY, INC.; EAGLE ONE ROOFING  
CONTRACTORS INC.; EJ DAVIES, INC.; EN-TECH

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CORP.; EVERGREEN RECYCLING OF CORONA (EROC);  
EWELL W. FINLEY, P.C.; EXECUTIVE MEDICAL  
SERVICES, P.C.; FLEET TRUCKING, INC.; FRANCIS  
A. LEE EXTERIOR RESTORATION, INC.; FTI  
TRUCKING, INC.; GILSANZ, MURRAY, & STEFICEK,  
LLP; GOLDSTEIN ASSOCIATES CONSULTING  
ENGINEERS, PLLC; HALLEN WELDING SERVICE,  
INC.; H.P. ENVIRONMENTAL; KOCH SKANSKA INC.;  
LAQUILA CONSTRUCTION INC.; LASTRADA  
GENERAL CONTRACTING CORP.; LESLIE E.  
ROBERTSON ASSOCIATES CONSULTING ENGINEERS,  
P.C.; LIBERTY MUTUAL GROUP; LOCKWOOD,  
KESSLER & BARTLETT, INC.; LUCIUS PITKIN, INC.;  
LZA TECH-DIV OF THORTON TOMASETTI; MANAFORT  
BROTHERS INCORPORATED; MAZZOCCHI WRECKING,  
INC.; HUDSON MERIDIAN CONSTRUCTION GROUP, LLC  
F/K/A MERIDIAN CONSTRUCTION CORP.; MORETRENCH  
AMERICAN CORP.; MRA ENGINEERING, PC; MUESER  
RUTLEDGE CONSULTING ENGINEERS, INC.; NACIREMA  
INDUSTRIES INCORPORATED; NEW YORK CRANE &  
EQUIPMENT CORP.; NICHOLSON CONSTRUCTION  
COMPANY; PETER SCALAMANDRE & SONS, INC.;  
PINNACLE ENVIRONMENTAL CORP.; PLAZA  
CONSTRUCTION CORP.; PORT AUTHORITY OF NEW  
YORK AND NEW JERSEY; PRO SAFETY SERVICES LLC;  
PT & L CONTRACTING CORP.; ROBER SILMAN ASSOCIATES;  
ROBERT L. GEROSA, INC.; RODAR ENTERPRISES, INC.;  
ROYAL GM, INC.; SAB TRUCKING INC.; SAFEWAY  
ENVIRONMENTAL CORP.; SEASONS INDUSTRIAL  
CONTRACTING; SEMCOR EQUIPMENT & MANUFACTURING  
CORP.; SILVERITE CONTRACTING CORPORATION;  
SIMPSON GUMPERTZ & HEGER INC.; SKIDMORE  
OWING & MERRILL LLP; SURVIVAIR; TISHMAN  
CONSTRUCTION CORPORATION OF MANHATTAN;  
TISHMAN CONSTRUCTION CORPORATION OF NEW YORK;  
TISHMAN INTERIORS CORPORATION; TISHMAN  
SPEYER PROPERTIES; THORTON-TOMASETTI GROUP,  
INC.; TORRETTA TRUCKING, INC.; TOTAL SAFETY  
CONSULTING, L.L.C.; TUCCI EQUIPMENT RENTAL CORP.;  
TULLY CONSTRUCTION CO., INC.; TURNER CONSTRUCTION  
COMPANY; ULTIMATE DEMOLITION/CS HAULING (JOINT  
VENTURE); VOLLMER ASSOCIATES LLP; WEEKS MARINE,  
INC.; WEIDLINGER ASSOCIATES, CONSULTING  
ENGINEERS, P.C.; WHITNEY CONTRACTING INC.;  
WOLKOW-BRAKER ROOFING CORP.; WORLD TRADE  
CENTER PROPERTIES LLC; WSP CANTOR SEINUK;

YANNUZZI & SONS, INC.; YONKERS CONTRACTING  
COMPANY, INC.; YORK HUNTER CONSTRUCTION, LLC;  
ZIEGENFUSS DRILLING, INC.;

OFF SITE:

90 CHURCH STREET LIMITED PARTNERSHIP, AMBIENT  
GROUP, INC., BELFOR USA GROUP, INC., BOSTON  
PROPERTIES, INC., STRUCTURE TONE (UK), INC., AND  
STRUCTURE TONE GLOBAL SERVICES, INC., ET AL

Defendants.

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PLEASE TAKE NOTICE that defendants, STRUCTURE TONE, INC. s/h/a  
STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES,  
INC. (hereinafter "STRUCTURE TONE"), as and for their responses to the allegations  
set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master  
Complaint filed in the above-referenced action, hereby adopts STRUCTURE TONE's  
Answer to the Master Complaint dated July 30, 2007, which was filed in the matter of *In*  
*Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that STRUCTURE TONE's Answer to the Master Complaint does  
not comprehensively address any of the specific allegations within the Check-Off  
Complaint in the above-captioned matter, STRUCTURE TONE denies knowledge or  
information sufficient to form a belief as to the truth of such specific allegations.

WHEREFORE, STRUCTURE TONE, INC. s/h/a STRUCTURE TONE (UK),  
INC. and STRUCTURE TONE GLOBAL SERVICES, INC., demands judgment  
dismissing the above-captioned action as against it, together with its costs and  
disbursements.



Dated: New York, New York  
July 22, 2008

A handwritten signature in black ink, appearing to read "William D. Joyce III", is written over a horizontal line.

WILLIAM D. JOYCE III (WDJ 9899)

BARRY, McTIERNAN & MOORE

Attorneys for Defendants

STRUCTURE TONE, INC. s/h/a

STRUCTURE TONE (UK), INC. and

STRUCTURE TONE GLOBAL SERVICES, INC.

2 Rector Street – 14<sup>th</sup> Floor

New York, New York 10006

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